

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 4:09CV02001 HEA
)	
SEVENTY-FIVE THOUSAND)	
DOLLARS (\$75,000.00))	
U.S. CURRENCY,)	
)	
Defendant.)	

**ORDER TO STRIKE CLAIM AND ENTER
DEFAULT JUDGMENT OF FORFEITURE**

Plaintiff, United States of America has moved this Court, pursuant to Rule G(8)(c)(i)(A) of the Supplemental Rules for Admiralty and Maritime Claims and Rules 25(a)(1) and 55(b)(2) of the Federal Rules of Civil Procedure, to strike the claim of Karl McIntosh, and to enter a Final Judgment by Default in the above captioned case. Plaintiff has shown that there was reasonable cause for seizure, that a complaint for forfeiture was filed, and that all potential claimants were adequately served with notice of the complaint. The only claimant in this matter, Karl McIntosh, is now deceased. The government has shown that claimant has not complied with the Supplemental Rules by failing: to respond to the government's Special Interrogatories; and to adequately plead his claim. The government has also shown that claimant has not complied with the Federal Rules of Civil Procedure, by failing to substitute the deceased claimant with a new party. No other potential claimant has filed a claim for the defendant currency. The clerk of the Court has entered a default for the defendant currency in this action. Therefore, it is hereby,

ORDERED, ADJUDGED AND DECREED:

(1) That Karl McIntosh's Claim [4] and Answer [5] are hereby stricken as to the defendant property.

(2) That a judgment by default is hereby entered against the defendant currency;

(3) That all persons claiming any right, title or interest in or to the defendant currency are held in default;

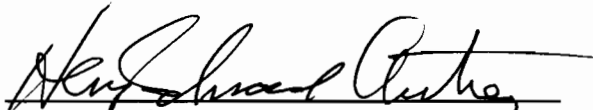
(4) That the defendant currency is hereby forfeited to the United States of America; and

(5) That the defendant currency be disposed of according to law.

IT IS FURTHER ORDERED, FOUND AND CERTIFIED:

(6) That, pursuant to Title 28, United States Code, Section 2465, reasonable cause existed for the seizure of the defendant currency.

SO ORDERED:


THE HONORABLE HENRY E. AUTREY
UNITED STATES DISTRICT JUDGE

Dated this 23rd day of March, 2012.